

01-04-01 577 09/455/2001 CPA #13 1/24/02

# CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Check if duplicate  
(Submit an original, and a duplicate for processing.)

Assistant Commissioner for Patents  
BX CPA  
Washington DC 20231

Attorney Docket No.: P-6335.01(CIP)  
First Inventor: Nora B. Aghassi, et al  
Examiner Name: James L. Grun, Ph.D.  
Group Art Unit: 1641  
Express Mail Label No.: EL406099429US

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JAN 10 2002

TECH CENTER 1600/2900

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. §1.53(d), (Continued prosecution application (CPA) of prior application number 09/515,283, filed on February 29, 2000, entitled COMPOSITION AND METHOD FOR TREATING TISSUE SAMPLES)

**NOTES FILING QUALIFICATIONS:** The prior application identified above must be a non-provisional application that is either (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. §1.53(d), but must be filed under 37 C.F.R. §1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. §1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. §1.14 to access to, copies of, or information concerning, the prior application may be given similar access to copies of, or similar information concerning the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. §1.78(a).

1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 C.F.R. §1.116 in the prior non-provisional application.
2. ☐ A preliminary amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. §1.53(d)(4).  
☐ **DELETE** the following inventor(s) named in the prior non-provisional application:  
☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. ☐ Information Disclosure Statement (IDS) is enclosed:  
☐ PTO-1449  
☐ Copies of IDS Citations

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01/09/2002 GTEFFERA 00000098 072400 09515283

01 FC:231	370.00 OP
02 FC:203	9.00 OP
03 FC:202	17.00 CH 25.00 OP

Claims	(1)For	(2)# Filed	(3)# Extra	(4)Rate	(5)Calculations	
	Total Claims	- 23*	= (1) Extra	x \$9.00	= \$	9.00
	Ind. Claims	- 3**	= (1) Extra	x \$40.00	=	40.00
	Multiple Dependent Claims, if any			+ \$	=	
				Basic Fee	=	
				TOTAL		404.00
	Reduction by 50% for filing by small entity					
	*Reissue claims in excess of 20 and over original patent. **Reissue independent claims over original patent.			TOTAL =		404.00

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6. ☒ A Non-Publication Request (§ 1.213(a)) is enclosed.
7. Small entity status:
- a. ☒ This is a small entity corporation.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.
8. The Commission is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 07/2400:
- a. ☐ Fees required under 37 C.F.R. § 1.16.
- b. ☐ Fees required under 37 C.F.R. § 1.17.
- c. ☐ Fees required under 37 C.F.R. § 1.18.
9. ☒ A check in the amount of \$404.00 is enclosed.
10. ☐ Other: \_\_\_\_\_

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new address is provided below.

11. NEW CORRESPONDENCE ADDRESS N/A

Respectfully submitted,



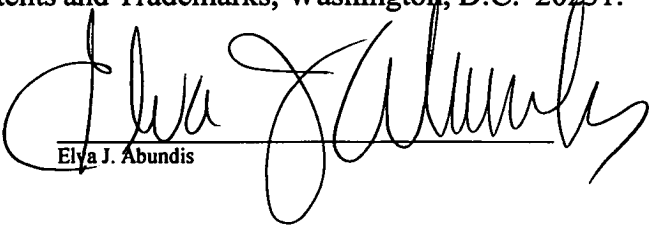
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CERTIFICATE OF MAILING

Express Mail Label No. EL406099429US

Dated: October 19, 2001

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an Express Mail envelope addressed to the "Commissioner of Patents and Trademarks, Washington, D.C. 20331."



Elysa J. Abundis

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